

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

NICHOLAS SAMPSON,)	
)	
Plaintiff,)	8:07CV155
)	
v.)	ORDER
)	
EARL SCHENCK, et al.,)	
)	
Defendants.)	

This matter is before the court on the defendants William Lambert and Charles O'Callaghan's Motion to Quash ([Filing No. 440](#)). The plaintiff filed a brief ([Filing No. 443](#)) and an index of evidence ([Filing No. 444](#)) in opposition to the motion. The moving defendants filed an affidavit ([Filing No. 445](#)) and an index of evidence ([Filing No. 446](#)) in reply. The court held a telephone conference with the parties on March 3, 2011, to hear argument on the motion. As discussed during the telephone conference, the court finds the plaintiff failed to sustain his burden of making a threshold showing of relevance to conduct the deposition of Corey O'Brien. Upon consideration,

IT IS ORDERED:

William Lambert and Charles O'Callaghan's Motion to Quash ([Filing No. 440](#)) is granted.

DATED this 3rd day of March, 2011.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge